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Attorneys for Defendant KNIX WEAR INC.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

GEMMA RIVERA and MARISA FRANZ,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

KNIX WEAR INC.,

Defendant.

Case No. 5:22-CV-02137-EJD

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT**

Date: July 20, 2023

Time: 10:00 a.m.

Courtroom 4, 5th Floor

Judge Edward J. Davila

1 Plaintiffs Marisa Franz and Gemma Rivera and Defendant Knix Wear Inc. respectfully  
2 submit this Joint Case Management Conference Statement prior to the July 20, 2023 Case  
3 Management Conference.

4 **I. STATUS UPDATE FROM PLAINTIFF FRANZ AND DEFENDANT KNIX**  
5 **WEAR INC.**

6 At the hearing on May 11, 2023, the Court granted Bursor & Fisher, P.A.'s motion to  
7 withdraw as counsel for Plaintiff Gemma Rivera. ECF No. 59 ("Court grants withdrawal of counsel  
8 for Ms. Rivera.").

9 The Court then set another Case Management Conference for July 20, 2023 at 10:00 a.m. to  
10 give Plaintiff Rivera additional time to obtain new counsel and to contact the Court's *Pro Se*  
11 Program.<sup>1</sup> 5/11/23 Transcript at 8:20-9:10 and 10:21-11:6. The Court also encouraged Plaintiff  
12 Rivera to meet and confer with Defendant's counsel "to see if some type of resolution could be  
13 worked out." *Id.* at 8:20-24 and 11:6-12. To date, Plaintiff Rivera has not informed Defendant or  
14 Plaintiff Franz that she has obtained new counsel nor has she contacted Defendant about resolution.

15 Plaintiff Franz remains interested in the settlement of her individual claim.

16 **II. PLAINTIFF RIVERA'S UPDATE**

17 As suggested by Judge Davila, I have contacted the Court's Pro Se service. I was referred  
18 to an attorney at The Asian Law Alliance. Although the attorney was not able to assist with my  
19 case, he provided very helpful information. I have received two recommendations of firms that  
20 may be able to assist me. I have reached out to both, and am awaiting their decision on if they are  
21 able to take on my case.

22 I have now contacted ten law firms in total. I am consistently receiving the same feedback,  
23 that while there is another Plaintiff, the case is messy from an attorney's point of view. My  
24 understanding is that Judge Davila instructed Mr. Fisher to settle Plaintiff Franz's case. I am  
25 hopeful that once this happens, securing counsel for myself will be possible.

26  
27 <sup>1</sup> The Court's Courtroom Deputy asked Plaintiff Franz's counsel to forward information about the  
28 *Pro Se* Program to Plaintiff Rivera on May 11. Plaintiff Franz's counsel forwarded that  
information to Plaintiff Rivera by email later that day.

I have not yet contacted the Defendant or Plaintiff Franz, as I am waiting to secure counsel before doing so.

Dated: July 7, 2023

Respectfully submitted,

**BURSOR & FISHER, P.A.**

By: /s/ L. Timothy Fisher  
L. Timothy Fisher

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*Attorneys for Plaintiff Franz*

Dated: July 7, 2023

By: /s/ Gemma Rivera  
Gemma Rivera

Dated: July 7, 2023

**HOGAN LOVELLS US LLP**

By: /s/ Lauren S. Colton  
Lauren S. Colton

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